

AGILENT TECHNOLOGIES, INC.
Legal Department, DL429
Intellectual Property Administration
P. O. Box 7599
Loveland, Colorado 80537-0599

ATTORNEY DOCKET NO. 10010459-1

RCE
JW



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor(s): Robert Gary

Serial No.: 09/867,850

Examiner: Tiv Backhean

Filing Date: May 29, 2001

Group Art Unit: 2151

Title: SYSTEM AND METHOD FOR MEASURING USAGE OF GATEWAY PROCESSES UTILIZED IN
MANAGING NETWORK ELEMENTS

COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria VA 22313-1450

REQUEST FOR CONTINUED EXAMINATION (RCE) 37 CFR 1.114

Subsection (b) of 35 U.S.C. 132, effective on May 29, 2000, provides for continued examination of an utility or plant application filed on or after June 8, 1995.

See The American Inventors Protection Act of 1999 (AIPA).

Sir:

This is a Request for Continued Examination (RCE) under CFR 1.114 of the above-identified application.

NOTE: 37 CFR 1.114 is effective on May 20, 2000. If the above application was filed prior to May 29, 2000, applicant may wish to consider filing a continued prosecution application (CPA) under CFR 1.53(d) (PTO/SB/29) instead of a RCE to be eligible for the patent term adjustment provisions of the AIPA. See Changes to Application Examination and Provisional Application Practice, Interim Rule, 65 Fed. Reg. 14865 (Mar. 20, 2000), 1233 off. Gaz. Pat. Office 47 (Apr. 11, 2000), which Established RCE practice.

Submission under 37 CFR 1.114

- ☐ Previously submitted:
- ☐ Consider the amendment(s)/reply under 37 CFR 1.116 previously filed on
(Any unentered amendment(s) referred to above will be entered).
 - ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on
 - ☐ Other:
- ☒ Enclosed:
- ☒ Amendment/Reply
 - ☐ Affidavit(s)/Declarations(s)
 - ☐ Information Disclosure Statement (IDS)
 - ☒ Other: Terminal Disclaimer; 2 return postcards

Miscellaneous

- ☐ Suspension of action is requested under 37 CFR 1.103(c) for a period of _____ months.
The fee for this Suspension is (37 CFR 1.17(i)) **\$130.00**.
- ☐ Other:

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CONTINUED EXAMINATION TRANSMITTAL
(RCE) (37 CFR 1.114) (continued)

ATTORNEY DOCKET NO. 10010459-1

RCE filing fee \$790.00

- ☒ A Petition for Extension of Time
- | | | |
|-------------------------------------|--------------|-----------|
| <input checked="" type="checkbox"/> | One month | \$120.00 |
| <input type="checkbox"/> | Two months | \$450.00 |
| <input type="checkbox"/> | Three months | \$1020.00 |
| <input type="checkbox"/> | Four months | \$1590.00 |

Please charge to Deposit Account **50-1078** the sum of \$910.00 . At any time during the pendency of this application, please charge any fees required or credit any overpayment to Deposit Account **50-1078** pursuant to 37 CFR 1.25.

A duplicate copy of this transmittal letter is enclosed.

- ☒ I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria VA 22313-1450.

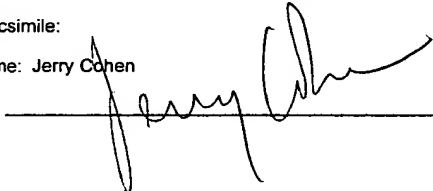
Date of Deposit: August 22, 2005

OR

- ☐ I hereby certify that this paper is being facsimile transmitted to the Commissioner for Patents on the date shown below.

Date of Facsimile:

Typed Name: Jerry Cohen

Signature: 

Respectfully submitted,

Robert Gary

By


Jerry Cohen
Attorney/Agent for Applicant(s)

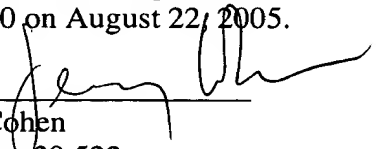
Reg. No. 20,522

Date: August 22, 2005

Telephone No. (617) 854-4000

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on August 22, 2005.


Jerry Cohen
Reg. No. 20,522



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appl. No.	: 09/867,850	Conf. No.	: 8299
Filed	: May 29, 2001	TC/A.U.	: 2151
Examiner	: Backhean Tiv	Applicant	: Robert Gary
Docket No.	: 10010459-1 (28579-199)	Customer No.	: 022878
Title	: SYSTEM AND METHOD FOR MEASURING USAGE OF GATEWAY PROCESSES UTILIZED IN MANAGING NETWORK ELEMENTS		

AGILENT TECHNOLOGIES, INC.
Legal Department, DL429
Intellectual Property Administration
P.O. Box 7599
Loveland, CO 80537-0599

TO: Mail Stop RCE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

RESPONSE/REQUEST FOR CONTINUED EXAMINATION UNDER 37 C.F.R. § 1.114

Sir:

In response to the final Office Action dated April 21, 2005, rejecting pending claims 1-71 in the above-mentioned application, Applicant encloses herein a Request for Continued Examination, an amendment, a request for a one-month extension of time, a petition for a Terminal Disclaimer, and the appropriate fees. Please enter the following amendment:

Amendments to the Claims are reflected in the listing of claims that begins on page 3 of this paper.

Remarks/Arguments begin on page 14 of this paper.

Applicant respectfully requests a one-month extension of time herein. The mailing date of the Final Rejection was April 21, 2005. Thus the due date with a one-month extension of time is August 21, 2005. Applicant respectfully points out that the due date for this amendment/RCE, including the one-month extension of time requested herein, August 21, 2005, falls on a Sunday, thereby making this amendment/RCE timely filed on Monday, August 22, 2005.